

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

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MELISSA CHERKASKY,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:21-cv-5204
	:	
BOYERTOWN AREA SCHOOL	:	
DISTRICT,	:	
Defendant.	:	

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**ORDER**

**AND NOW**, this 2<sup>nd</sup> day of March, 2022, upon consideration of Defendant's Motion to Dismiss, ECF No. 6, Plaintiff's Response in Opposition, ECF No. 8, Defendant's Reply, ECF No. 9, and for the reasons given in the Opinion issued this date, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Defendant's Motion, ECF No. 6, is **GRANTED**;
2. Plaintiff's Complaint is **DISMISSED without prejudice**<sup>1</sup>; and
3. Plaintiff has **14 days from the date of this Order** to file an amended complaint if she wishes to re-plead her dismissed claims.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.  
JOSEPH F. LEESON, JR.  
United States District Judge

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<sup>1</sup> The Court dismisses the Complaint without prejudice because it cannot determine at this time whether an amendment would be futile.